THE HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
THE HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.11613 OF 2007

Dated: 21.06.2007

Between:

Anitha Jain

…Petitioner

And:

The Station House Officer, Narayanaguda
Police Station, Hyderabad and another.

…Respondents

THE HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
THE HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.11613 of 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.Varma)**

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a 'Telegram', dated 20-05-2007, by Anitha Jain, W/o.

Surendra Kumar Jain, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, complaining that her husband by name Surendra Kumar Jain was illegally arrested and detained by the Circle Inspector of Police, Narayanaguda Police Station, Hyderabad, since three days.

3. Upon receipt of notice, issued by this Court, a counter-affidavit has been filed by the first respondent-Inspector of Police, Narayanaguda Police Station, Hyderabad, denying the allegations made in the said telegram and enclosing the statement made by the alleged detenu to the effect that he was never detained by the Police personnel of Narayanaguda Police Station.

4. From the said statement of the alleged detenu, it could be seen that since he is a pawn broker, he went to Sojath City, Rajasthan, on his personal work, without informing his wife, and hence under the presumption that he was apprehended by the Police, his wife gave the said telegram and, in fact, neither he was not detained nor any harm has been caused to him by the Police at any time. However, having doubted the veracity of the said statement, this Court has directed the respondents to produce the alleged detenu before this Court and, accordingly, he has been produced before this Court today.

5. Upon questioning by this Court, the alleged detenu has stated that what he had stated in the statement, filed before this Court along with the counter-affidavit, is true and that no harm had been caused to him in the hands of the Police at any time, and it is only

because of the innocence of his wife, such a telegram had been sent.

6. When the alleged detenu himself has stated before this Court endorsing the contents of the statement made by him in writing and produced before this Court by the learned Advocate General's Office, we do find any reason to proceed any further in this matter and the same is liable to be closed.

7. In the result, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

_____

D.S.R.VARMA, J

_____

D.APPA RAO, J

21.06.2007
dr